

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

FEDERAL TRADE COMMISSION
600 Pennsylvania Ave., NW
Washington, DC 20580

STATE OF NEW YORK
28 Liberty Street
New York, NY 10005

Plaintiffs,

v.

VYERA PHARMACEUTICALS, LLC,
600 Third Ave., 10th Floor
New York, NY 10016

PHOENIXUS AG,
Hadlenstrasse 5
6340 Baar, Switzerland

MARTIN SHKRELI, individually, as an
owner and former director of Phoenixus AG
and a former executive of Vyera
Pharmaceuticals, LLC,
FCI Allenwood Low
Federal Correctional Institution
P.O. Box 1000
White Deer, PA 17887

and

KEVIN MULLEADY, individually, as an
owner and director of Phoenixus AG and a
former executive of Vyera Pharmaceuticals,
LLC,
330 East 38th St., Apt. 54K
New York, NY 10016

Defendants.

Case. No. 20-cv-00706 (DLC)

**PROOF OF SERVICE REGARDING
NOTICE OF INITIAL PRETRIAL
CONFERENCE & JUDGE COTE'S
INDIVIDUAL PRACTICES**

Pursuant to this Court's order, Plaintiffs respectfully submit the following as proof of service of the Court's Notice of Initial Pretrial Conference (ECF No. 19) and Judge Cote's Individual Practices in Civil Cases upon defendants or defendants' counsel.

1. On February 3, 2020, Plaintiffs emailed the above-referenced documents to Michael Wiener of Dechert LLP (michael.wiener@dechert.com). Mr. Wiener represents Vyera Pharmaceuticals, LLC, and Phoenixus AG in this matter. His email acknowledging receipt of the above-referenced documents is attached as Exhibit 1.
2. On February 3, 2020, Plaintiffs emailed the above-referenced documents to Kandis Kovalsky of Kang Haggerty & Fetbroyt LLC (kkovalsky@khflaw.com). Ms. Kovalsky's firm represents Mr. Shkreli in this matter. Her email acknowledging receipt of the above-referenced documents is attached as Exhibit 2.
3. On February 4, 2020, Plaintiffs sent the above-referenced documents to Mr. Mulleady at his personal residence via Federal Express, with delivery guaranteed by February 5, 2020. A copy of the FedEx label is attached as Exhibit 3.

Dated: February 4, 2020

Respectfully submitted,

/s/ J. Maren Schmidt

J. Maren Schmidt (*Pro Hac Vice*)

Federal Trade Commission

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Counsel for Plaintiff

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